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## **GARFIELD COUNTY COMMISSION MEETING MARCH 13, 2017 AT 10:00 A.M.**

Present: Commissioner Leland Pollock, Commissioner David Tebbs, Commissioner Jerry Taylor, Clerk Camille Moore, Attorney Barry Huntington.

Commissioner Pollock called the meeting to order.

Commissioner David Tebbs made a MOTION to adopt the agenda. Seconded by Commissioner Jerry Taylor. Motion carried. Voting unanimous.

Commissioner David Tebbs made a MOTION to approve the minutes of the February 14, 2017 meeting. Seconded by Commissioner Jerry Taylor. Motion carried. Voting unanimous.

Board Reports: Commissioner Taylor reported on the Five County Association of Governments Meeting. Commissioner Pollock reported on the National Association of Counties Legislative Conference in Washington D.C.

### PUBLIC HEARING - Resolution Declaring Garfield County's Intent To Identify The Appropriate Area Necessary for The Grand Staircase-Escalante National Monument

Commissioner Taylor made a MOTION to go to Public Hearing. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

### Presenting:

Representative Mike Noel gave an explanation of the legislation passed this year requesting that the Federal Government redraw the boundaries of the Grand Staircase Monument.

Keith Watts, Boulder, former professor of Geology spoke in opposition to the resolution. He stated that the entire land area should be protected.

Elaine Baldwin, Panguitch, Planning Commission Chair, spoke in favor of the resolution. She quoted the antiquities act stating that the smallest amount of land possible should be designated.

*County Commissioners*  
Leland F. Pollock  
H. Dell LeFevre  
David B. Tebbs

*Camille A. Moore, Auditor/Clerk*  
*A. Les Barker, Recorder/Surveyor*  
*Joseph Thompson, Assessor*  
*Gina Peterson, Treasurer*

*Russell B. Bulkley, Justice Court Judge*  
*Barry L. Huntington, Attorney*  
*James D. Perkins, Sheriff*

Blake Spalding, Boulder, Business Owner, spoke against the resolution. She stated that her business has increased dramatically and that the resolution is harming her business.

Clare Ramsay, Tropic, Former Commissioner, spoke in favor of the resolution. He stated that there has been damage to the economy of the County as a result of the monument designation. He explained a proposed boundary for the monument.

Josh Ellis, Boulder, Business Owner, spoke against the resolution. He stated that the land management should be improved not the boundaries changed.

Stanton Gleave, Junction, Rancher, spoke in favor of the resolution. He stated that as citizens our rights need to be protected.

Dave Hensel, Boulder, spoke against the resolution. He stated that there are inaccuracies in the resolution. He felt that all members of the public should be allowed to speak.

Denny Orton, Panguitch, spoke in favor of the resolution. He stated that the changes in land management has negatively impacted the County's economy.

Dave Conine, Draper, Utah, property owner, retired USDA Rural Development Director, spoke against the resolution. He stated that there should be more willingness to work together and focus on economic diversification.

Lance Syrett, Bryce Canyon City, Business Owner, spoke in favor of the resolution. He stated that federal overreach has harmed our economy. He stated that tourism does not provide enough family supporting jobs.

Brandy Hardman, Boulder, Business Owner, spoke against the resolution. She stated that she is sure that reducing the size of the monument will adversely impact the tourism industry.

Darin Bushman, Piute County Commissioner, spoke in favor of the resolution. He stated that Piute County has been adversely impacted as well as Garfield and Kane Counties.

Bill Muse, Boulder Mayor spoke against the resolution. He had a statement read from a public meeting held by the Boulder Town Council. The majority of those attending the meeting were opposed to the resolution.

William Weppner, Escalante, spoke in favor of the resolution. He stated that federal overreach has impacted our economy, communities and schools.

Kelton Manzanaras, Escalante, Business Owner, spoke against the resolution. He asked that all citizens be included in decision making process.

Darrell Spencer, Escalante, Flying V Bar Ranches spoke in favor of the resolution. He stated that grazing rights have and will continue to be reduced within the monument. He stated that those grazing rights were purchased in the past.

Scott Berry, Boulder, Business Owner, spoke in opposition to the resolution. He asked that the decision be postponed to allow for more public input.

Joe Thompson, Cannonville, County Assessor spoke in favor of the resolution. He stated that there is enough room for both sides of this issue.

Grant Johnson, Boulder, Business Owner, spoke against the resolution. He stated that the roadless areas need to be protected.

Greg Allen, Escalante, Escalante Town Council, spoke in favor of the resolution. He stated that he is not against tourism but that he does not support using tourism to stifle other development.

Dennis Waggner, Escalante, Escalante/Boulder Chamber of Commerce, spoke against the resolution. He stated that his business pays a living wage. He stated the resolution will have a negative impact on taxes for the County.

Mack Barney, Cedar City, former resident of Escalante spoke in favor of the resolution. He stated that the coal burning on the Smokey is burning without any energy being generated.

Cheryl Cox, Boulder, spoke against the resolution. She stated that she worries about the unintended consequences of this resolution to the schools.

Representative Noel clarified that if the monument is downsized, it will still be managed by the Bureau of Land Management and will remain as protected public land. He stated that the roads should remain open that have been used for 100 years.

Commissioner Tebbs spoke in favor of the resolution and reported on a meeting with the residents of the Bryce Valley Area.

Commissioner Jerry Taylor spoke in favor of the resolution. He stated that the size of the monument is larger than the "Mighty Five" National Parks.

Commissioner Jerry Taylor made a MOTION to return to General Session. Seconded by David Tebbs. Motion carried. Voting unanimous.

Commissioner Leland Pollock made a MOTION to adopt Resolution 2017-2. Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

**GARFIELD COUNTY RESOLUTION NO. 2017-02**

**A RESOLUTION DECLARING GARFIELD COUNTY'S INTENT  
TO IDENTIFY THE APPROPRIATE AREA NECESSARY FOR  
THE GRAND STAIRCASE - ESCALANTE NATIONAL MONUMENT**

**WHEREAS**, the Grand Staircase – Escalante National Monument (GSENM) was created in 1996 by Presidential Proclamation 6920 without any input or support from Kane or Garfield Counties, their citizens, their public officials, or the State of Utah; and

**WHEREAS**, the GSENM was created without consideration of roads, local economies, customs, culture and heritage; and

**WHEREAS**, GSENM has resulted in diminished grazing rights, energy and mineral rights, public road access, state trust land properties, and resource use and preservation; and

**WHEREAS**, for more than 20 years the GSENM has had a negative impact on the prosperity, development, economy, custom, culture, heritage, educational opportunities, health, and well-being of local communities; and

**WHEREAS**, establishment of GSENM has resulted in a 56% reduction in Escalante High School enrollment (from 151 to 67) since September, 1996; and

**WHEREAS**, establishment of GSENM has resulted in loss of business opportunity and out-migration of families, workers and jobs; and

**WHEREAS**, boundary adjustments are authorized by law and are needed to protect the prosperity, health, safety and welfare of the citizens of Kane and Garfield Counties; and

**WHEREAS**, boundary adjustments identified by Garfield and Kane Counties are essential to the protection of health, safety, welfare, prosperity, custom, culture, and commercial opportunities for their citizenry; and

**WHEREAS**, boundary adjustments identified by Garfield and Kane Counties are also essential to comply with the Antiquities Act, Presidential Proclamation 6920 and protection of objects of antiquity identified in the GSENM Proclamation; and

**WHEREAS**, boundary adjustments identified by Garfield and Kane Counties are necessary for optimizing multiple-use and sustained-yield including: 1) access to public lands, 2) commerce, 3) development, and protection of natural resources, 4) traditional recreational resource values, 5) traditional cultural and historical values, 6) agricultural livestock and forest products industries, and 7) other activities vital to the custom, culture and well-being of the area; and

**WHEREAS**, designation of lands as a monument has reduced the ability to actively manage for conservation and land health issues such as: vegetation treatments, erosion control, water management, grazing management, wildlife management activities, and invasive plant control.

**NOW THEREFORE, BE IT RESOLVED BY THE GARFIELD COUNTY BOARD OF COMMISSIONERS, IN AND FOR GARFIELD COUNTY, STATE OF UTAH, AS FOLLOWS:**

Garfield County, along with Kane County and the State of Utah, will consult with the United States Department of Interior Bureau of Land Management and create mapping that indicates the minimum acreage necessary to protect the antiquities and objects identified in Presidential Proclamation 6920;

Garfield County urges the Utah State Legislature and the Utah Congressional delegation to develop and support legislative action that will reduce and modify GSENM boundaries to the minimum area necessary to protect antiquities and objects identified in Presidential Proclamation 6920.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Leland F. Pollock, Commission Chair

ATTEST:

\_\_\_\_\_  
Camille A. Moore  
Garfield County Clerk/Auditor

Commissioner Pollock voted \_\_\_\_

Commissioner Tebbs voted \_\_\_\_

Commissioner Taylor voted \_\_\_\_

#### PUBLIC WORKS BUSINESS

Panguitch City Streets: Lori Talbot, Panguitch City, asked for assistance in chipsealing city roads this summer. After discussion, Commissioner Tebbs made a MOTION to give the road department authorization to provide equipment and labor for the chipseal project. Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

Garbage Truck Bid Opening: Two bids were received for a surplus 1994 garbage truck. The high bid was submitted by Utah State Parks/Kodachrome Basin State Park in the amount of \$18,500.00. A proposal was also received for the 2016 truck by Hughes Waste Haulers. After discussion, Commissioner Taylor made a MOTION to accept the bid on the surplus truck from Utah State Parks. The proposal for the 2016 truck in the amount of \$250,100.00 will be accepted contingent on the funds being received by the County prior than the new truck being ordered. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

Quality Inn Turning Lanes: There has been a request for assistance in providing a turning lane from Highway 89 to the Quality Inn property. The business owners need to work directly with U.D.O.T. to make that request.

North Panguitch Lake Boat Ramps: There has been a request from the Utah Division of Natural Resources to assist with placement of the North Panguitch Lake Boat Ramps in the spring and removal in the fall. The State will pay \$1,500.00 for equipment and labor. After discussion, Commissioner Taylor made a MOTION to approve the request for assistance moving the North Panguitch Lake Boat Ramps. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

Personnel: After discussion, Commissioner Tebbs made a MOTION to approve hiring Dan'l Lindsay and Greg Shakespeare for the Escalante Road Shed. Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

## PLANNING DEPARTMENT BUSINESS

### PUBLIC HEARING - Ron Hatch Minor Lot Subdivision

Ron Hatch owns a 20 acre parcel of land on the River Lane Road, he is proposing dividing the parcel into two parcels. The Planning Commission has reviewed the proposal and recommends approving the request. After discussion, Commissioner Tebbs made a MOTION to approve the Ron Hatch Minor Lot Subdivision Minor Lot Subdivision. Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

## AMBULANCE DEPARTMENT BUSINESS

EMT Reimbursement: Tammy Barton, Ambulance Director, explained a proposed increase of EMT reimbursement for hospital to hospital transports. The increase will be approximately 6%. After discussion, Commissioner Taylor made a MOTION to approve the 6% increase in reimbursement. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

## BUSINESS/BEER LICENSE

Applications have been received from Hummus & Heifer, Panguitch and Aspen Cove Resort, Panguitch Lake. After discussion, Commissioner Taylor made a MOTION to issue Business License's to Hummus & Heifer and Aspen Cove Resort and a Class C Beer License to Aspen Cove Resort. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

#### SIXTH DISTRICT COURT CONTRACT

After review, Commissioner Taylor made a MOTION to approve the Sixth District Court 2017 Contract and give Commissioner Pollock authorization to sign the contract documents. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

#### BUILDING DEPARTMENT BUSINESS

Les Barker, Recorder, and Rob Veater, Maintenance, explained the stucco repair at the Panguitch Senior Citizen Building. There was additional wood damage on the building and it will cost more than originally estimated. The work should be completed in the next two weeks. They also requested assistance from the road department to complete the crack sealing and refinishing of the courthouse and senior center parking lots. The Commission approved the projects.

#### AIRPORT BUSINESS

Lease Agreement: Scott Walter, Bryce Canyon Towing, has made a request to lease an office in the terminal and property at the Bryce Canyon Airport for their equipment and storage. There will need to be site preparation work by the County and power and water before the lease can be signed. Mr. Walter will work with Brian to determine the cost of the site preparation and Attorney Huntington to prepare a lease agreement.

Hanger: Levi Holm is requesting the opportunity to build a hanger at the Bryce Canyon Airport. The Commission directed Levi to work with Greg Pollock, Airport Manager and bring the details back to the Commission for approval.

#### TRAVEL COUNCIL BUSINESS

After discussion, Commissioner Taylor made a MOTION to appoint Gladys LeFevre to the Travel Council Board. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

Commissioner Taylor made a MOTION to go to Executive Session to discuss personnel. Seconded by Commissioner Tebbs. Motion carried. Voting: Pollock - Aye, Taylor - Aye, Tebbs - Aye.

## AFFIDAVIT REGARDING CLOSED MEETING

STATE OF UTAH                    )  
  :SS  
COUNTY OF GARFIELD        )

The undersigned, as presiding officer of the Board of County Commissioners of Garfield County, State of Utah, after being duly sworn, hereby states, swears and affirms as follows:

1. That on the 13<sup>th</sup> day of March, 2017, during a regular meeting of the Board of Commissioners of Garfield County, State of Utah, the board, upon the affirmative vote of two-thirds or more of the member present at the meeting for which notice was given pursuant to Section 52-4-6, voted to close the meeting to discuss the character, professional competence, or physical or mental health of an individual under Subsection 52-4-5 (1)(a)(I), Utah Code Annotated.

2. That a quorum was present.

3. That I do hereby affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 13<sup>th</sup> day March, 2017.

\_\_\_\_\_  
Commission Chair

SUBSCRIBED and SWORN to before me this        day of                   , 2017.

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NOTARY PUBLIC

Commissioner Taylor made a MOTION to return to General Session. Seconded by Commissioner Tebbs. Motion carried. Voting: Pollock - Aye, Taylor - Aye, Tebbs - Aye.

ACCOUNTS PAYABLE

The accounts payable list was reviewed, approved and signed by the Commission.

The meeting was adjourned at 3:45 pm.

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Commission Chair

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Clerk/Auditor